

**STATEMENT OF  
COMMISSIONER MIGNON L. CLYBURN**

Re: *Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers*, WT Docket No. 05-265, *Report and Order and Second Further Notice of Proposed Rulemaking*, FCC 10-59.

When it comes to roaming for voice and data services, consumers need seamless, nationwide coverage. However, when the Commission adopted in 2007 a “home market exclusion” to its automatic roaming requirements, it undercut that goal. By repealing the home market exclusion in today’s Order, we are safeguarding consumers’ expectations of seamless coverage irrespective of whether they are calling from their carrier’s home market or from the home market of another.

I recognize that a number of smaller, rural, carriers opposed any mention in this Order about the appropriateness of considering a requesting carrier’s lack of build out, in its home markets, when determining if the terms of a roaming agreement are reasonable. According to these smaller carriers, larger nationwide carriers with greater bargaining positions in roaming negotiations, may use such language to propose unreasonable roaming agreements. I carefully considered those arguments. I have decided to support today’s Order, because the relevant language makes it clear that any roaming request is presumed to be reasonable, and no hosting carrier can use a requesting carrier’s lack of build out as the sole dispositive factor for imposing roaming terms and conditions.

I also fully support the Further Notice of Proposed Rulemaking that seeks additional comment on whether the Commission should extend roaming requirements to mobile data services not connected to the public switched telephone network. Such services would include wireless broadband Internet access services. The National Broadband Plan discussed how important these mobile broadband services are to making broadband service available and affordable throughout our Nation. The detailed and balanced questions posed by the Further Notice, will provide the Commission with a comprehensive record on its legal authority to impose roaming obligations on such services and the merits for imposing such obligations if it decides to do so.